The Admoniſher Admoniſhed:

IN,

A MODEST and IMPARTIAL

NARRATIVE

Of the Proceedings of the

Eccleſiaſtical Court,

AGAINST

JAMES JONES Citizen of *LONDON*,

Of the Pariſh of St. *Bartholomew Exchange.*

Being a True Account of matter of Fact, from his Citation to *Doctors Commons*, to their taking out the Writ of *Excommunicato Capiendo* againſt him.

AND ALSO

An Account of the ſeveral Ways made uſe of for the taking off the ſaid Writ.

WITH

Uſeful Obſervations

Upon ſeveral Particular Paſſages and Statutes.

Dedicated to the Worſhipful Doctor *Pinfold.*

Iſa. 59. 15.

Yea, Truth faileth, and he that departeth from Evil maketh himſelf a Prey; and the Lord ſaw it, and it diſpleaſed him that there was no Judgment.

LONDON:

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1683.

BIBLIOTHECA·BODLEIANA

To the Right Worſhipful *THOMAS PINFOLD*,
Doctor of Laws, and Official to the Arch-Deacon of *London*.

Worſhipful Doctor,

AFter thoſe Reſpects due to you, this is humbly to entreat you with patience to read and conſider this following Narrative of matters between you and my ſelf, in which I have been careful to give a true Account, without any bad Language, or any bitter Reflections, which are too common in matters of this kind: My only deſign in this is to diſcover paſt Proceedings, as well on my own part as on yours; that ſo ſuch as may hereafter be concerned with Eccleſiaſtical Courts, *as I have been with yours, may by theſe Proceedings learn either to forbear to do as I have done, or elſe improve the ſame to do better, or find out ſome other way more for their own Advantage.*

And for as much as your Worſhip hath loaded a Multitude of his Majeſties Proteſtant Subjects with Admonitions and Excommunications (and with the Writ de Excommunicato Capiendo*) to force them into a Jail, if they do not pay you great Sums of money for not obeying your Admonitions:*

I beſeech you to receive a few Proteſtant Admonitions agreeable to the Holy Scripture.

I. *That you being a Doctor and Judge of a Court called Spiritual, it highly concerneth you to ſee that you are a true Spiritual man, not walking according to the Luſts of the Fleſh: Spiritual perſons ought to maintain Spiritual practices,* Rom. 8. 1.

II. *Take heed that you do not force any Perſons by your Admonition to come unto the holy Communion, who are unholy in their Converſation; and that they may eſcape your Excommunication, Venture to Eat and Drink their own Damnation.* 1 Cor. 11. 20

III. *Take heed you do not force the Godly to partake with the Ungodly, leaſt you make them Partakers of other mens Sins; but purge out the Old Leaven that you may be a new Lump*; for a little Leaven leaveneth the whole Lump, 1 *Cor.* 5. 6, 7, 8, 9.

IV. *Take heed you do not that to others, which you would not have them do to you,* viz. *You would not be willing the Proteſtant Diſſenters (conſidered as Independents, Preſbyterians, or thoſe falſly called Anabaptiſts) ſhould compel you to take the Holy Sacrament amongſt any of them,* Mat. 5. 12. *Therefore why ſhould you do the like?*

V. *Take heed that you do not force Perſons to the holy Sacrament againſt their Wills, ſeeing God muſt be ſerved with a perfect heart, and with a willing mind,* 1 Chron. 28. 9.

VI. *Take heed you do not force Perſons to the Holy Sacrament, who have not a right unto it; or ſuch as for fear of your further Proceedings may come unto it contrary to their own Conſciences, of whom it may be ſaid as* Paul *ſaid to the* Corinthian *Profeſſors,* 1 Cor. 11. 20. This is not to eat the Lords Supper; *for the abuſing of Gods Ordinance is a loſing Gods Ordinance, to the Abuſers of it, and it may be ſaid, Such eat mans Dinner, rather then the Lords Supper.*

VII. *Take heed that whilſt you proceed in handling Perſons about Spiritual things, that you let your Proceedings be according to Spiritual Rules contained in the Holy Scriptures, in which there is no Directions to inflict outward Penalties upon Perſons for not performing of Spiritual Duties.*

VIII. *Take heed that you do not debaſe Religion in making Spiritual matters bow and Truckle unto Temporal matters, for baſe ends; and let not the Holy Sacrament be made a Qualification for keeping an Alehouſe, or for being Electors of Magiſtrates; it is enough that men be Free-holders in the Country, or free-men and of the Livery in the City for ſuch things.*

IX. *Take*

IX. *Take into your Consideration the many miseries that now attend a great number of his Majesties good Subjects, some constrained to be as Prisoners, in their own Houses, others fled into the Countrey, others let their Houses, and put off their Trades, and others remove from those Parishes where they were prosecuted, in hopes to be more quiet elsewhere, and some are carried to Prison; and all by reason of your Proceedings.*

X. *Take heed that the Sighs and Cries of poor Women and Children, (who groan under this Distress) do not go up to the God of Compassion, and be returned against you as the Cause of them.*

XI. *Do not think it will be enough for you to say you have proceeded according to Law, (if you could prove that) but consider that the Ecclesiastical Doctors, and such as were called Spiritual Judges in Queen* Maries *days, had the same Plea for their Persecuting the poor Protestants.*

XII. *I Beseech you consider that the Non-Compliance of Protestant-Dissenters, in matters of Religion, as imposed by you, is not for want of Loyalty to his Majesty, but for fear they should corrupt Christianity.*

And now worthy Sir, be not afraid to put your self upon a Tryal by this Christian Jury of Sober Admonitions, which are humbly and honestly Impannelled by

His Majesties Loyal Subject, and
your VVorships Humble Servant,

James Jones.

A Famous Example for Ecclesiastical Doctors.

A*Nd now Doctor, because worthy Examples and good Patterns are sometimes more Prevalent then Admonitions and Precepts, I will humbly set before you the good Example of a Famous Doctor of Law, belonging to the Ecclesiastical Court in the famous City of* Jerusalem:

Who when the Dissenters and Non-Conformists of that day, were cited and brought before the said Ecclesiastical Court, and by the Authority thereof were decreed to be Excommunicated out of the Church, and out of the World also;

The aforesaid Doctor of Law favoured and defended the Cause of those poor Dissenters, by making an excellent speech against the violent Proceedings of that Court; which take as followeth, as it is Recorded, not in Acts of Parliament, but in the Acts of the Apostles, Chapter 5.

Vers. 34. *Then there stood up one in the Counsel, a Pharisee, named* Gamaliel, *a Doctor of Law had in Reputation of all the People, and commanded to put the Apostles forth a little space.*

Vers. 35. *And said unto them, Ye men of Israel, take heed to your selves, what ye intend to do as touching these men.*

Vers. 38. *And now I say unto you, Refrain from these men, and let them alone, for if this Counsel or work be of men, it will come to nought.*

Vers. 39. *But if it be of God ye cannot overthrow it, lest happily ye be found even to fight against God;*

A Sober Question Proposed.

Whether the aforesaid Doctor of Law belonging to that Ecclesiastical Court, who was a Pharisee and did thus favour those poor Dissenters; Or Saul, *who also was a Pharisee, and did violently Prosecute those Non-Conformists, even to Imprisonment and Death, and caused some faint-hearted Professors to Blaspheme, that so they might escape those punishments that he inflicted upon many by that Authority which he received from the high Priest, who was Judge of the aforesaid Ecclesiastical Court: Be the best Pattern and Example for a Spiritual Judge?*

The Resolution shall be left for Doctor Pinfold, *and all other violent Prosecutors of them that fear God, to be considered and Resolved, as they will answer it before the Lord Chief Justice of the whole World,* viz. The Lord Jesus Christ, *Acts.* 17. 31. *Rom* 2. 16.

ERRATA. Page 2. Line. 45. for Sir *Thomas*, Read St. *Thomas*.

The

The Admoniſher Admoniſhed:

OR,

A MODEST and IMPARTIAL

NARRATIVE

OF

The late Proceedings of the Eccleſiaſtical-Court againſt JAMES JONES, &c.

THE Subject of the Enſuing Narrative being chiefly matter of Fact, and the Deſign of it being only to give the World an Account of the Proceedings of the Eccleſiaſtical Court againſt ſeveral hundred of his Majeſties Subjects, and in particular againſt *James Jones*; I ſhall without any Preface acquaint you, That upon the 16th of *November* laſt there was a Citation left at his Houſe, by an Eccleſiaſtical Officer, the form whereof was that which followeth:

To Mr. *Jones*, of the Pariſh of St. *Bartholomew Exchange*.

I Cite you by vertue of a Proceſs under Seal, to appear before the Right Worſhipful Thomas Pinfold, **Doctor of Laws, and Official to the Arch-Deacon of** London, **or his Lawful Surrogate, or any other Competent Judge in that behalf, in the Pariſh-Church or Tabernacle of St.** Mary Magdalen Old-Fiſh-ſtreet London, **On the 17th day of** November, **between the Hours of Nine and Eleven in the Forenoon of the ſame day, then and there to Anſwer to a Preſentment given in and Exhibited againſt you by the Church-Wardens of your ſaid Pariſh, as by Law you are bound. And further to do and Receive as by Law and Juſtice ſhall Appertain.**

Francis Speke, Officer.

From this Citation the ſaid *Jones* doth obſerve theſe following things, and deſireth others to conſider and well improve them.

1. That this Citation is not in the Kings Name, (only, *I Cite you.*)

2. Though there is Mention made of a Proceſs under Seal, by vertue of which the ſaid *Jones* was Cited, it is not ſaid, *By vertue of a Commiſſion from his Majeſty*, given to Impower that Court ſo to proceed.

3. Though there is mention made of *Law and Juſtice* in the ſaid Citation, that is no Demonſtration of the Legallity of the aforeſaid Court; and how much of *Law and Juſtice* hath been managed there, let thoſe Judge that have been

handled in the ſaid Court, and what may yet be expected of Law and Juſtice muſt be very patiently waited for, by thoſe that ſuffer.

The next day, being the 17*th* day of *November* aforeſaid, the ſaid *Jones* with others of his Proteſtant Neighbours, did appear before the ſaid Doctor *Pinfold*, thinking thereby to avoid a ſtrange thing called *Contumacy* or *Contempt* in that Court; Suppoſing he ſhould have had further Citations, before any further Proceedings; but he found himſelf greatly miſtaken, for the ſaid Doctor was very nimble with the honeſt Neighbours of the ſaid *Jones*, as they were particularly called by their Names, and preſently concluded them Guilty of the matters in the Church-Wardens Preſentment, *viz.* of not coming to Church, and not Receiving the Sacrament, without Poſitive Proof, of thoſe matters by Perſons appearing Face to Face; though the Truth is, the ſaid Doctor did not put any of thoſe before him to accuſe themſelves, but did preſently proceed to Admoniſh them, *To come to Church, and to take the Sacrament in their own Pariſh Church, and bring a Certificate, they had ſo done from the Doctor of the ſaid Pariſh, by the 6th day of December following.* And when moſt of the ſaid *Jones*'s Neighbours had been called, the Clark called for one Mr. *Jones*; The ſaid *Jones* Replyed, *His Name was* Jones, *and he was come to ſee whether he was the man intended in the Preſentment.*

The Doctor concluded that, (becauſe the Citation was left at his houſe:) *Jones* confeſſed there was a Citation left at his houſe, but that was no Proof that he was the ſame Perſon intended; Eſpecially conſidering that his *Whole Name* was not in the Citation, only Mr. *Jones*, and there might be other *Jones's* in the ſaid Pariſh.

Then the Doctor inquired of the Apparitor, who ſaid that one of the Church-Wardens did direct him to the houſe of the ſaid *Jones*, where he left the Citation, and ſaid he was the ſame *Jones* in the Preſentment.

Jones then told the Doctor, *That if he were the Perſon, he would not needleſſy contend; but however he thought the Citation was not legally ſerved, it being not given into his own hand, neither had he ſeen the Seal of the Court mentioned in the Citation.*

To which Doctor *Pinfold* Replying, Allowed that it was not a Legal Citation, and that if the ſaid *Jones* had not then appeared, the Court would have ſworn their Officer, who if upon Oath he had ſaid he could not find the ſaid *Jones*, then they would have ſet up a *Viis & Modis* upon the Church door, or upon his own door, requiring him to appear in the Eccleſiaſtical Court, but being the ſaid *Jones* did appear, the Citation was at an end, and there was no need of any more Citations.

Then the ſaid *Jones* perceived that he was got into a Trap, by being ſo ready to go with his honeſt Neighbours to that Court, upon a Suppoſition that the Citation being not ſerved upon his Perſon, nor his full Name in, the Citation was not right, and therefore thought he ſhould have had a Diſmiſſion for that time till a new Citation was ſent and ſerved upon him; he very well knowing that the Eccleſiaſtical Courts did formerly proceed very ſlowly; but it ſeems Sir *Thomas*'s day was near at hand, for the Citizens of *London* to chooſe a *New Common Council*, and it was high time to haſten Excommunications, thereby if it were poſſible, to prevent the Priviledge of ſuch Perſons in their Election of that Honourable Court of Common Council; but this is a happyneſs to the Loyal City of *London*, that the Citizens of *London* do underſtand the Statute Law, by which the Kings Power and the Peoples Priviledge is maintained, though they may not ſo well underſtand the Roaring Cannons of Eccleſiaſtical

cleſiaſtical Courts, *viz.* The Canon Law; and now the ſaid *Jones* doth humbly deſire his fellow Proteſtants to bear with this Digreſſion, and not count it a Tranſgreſſion; but he thinks it adviſible that ſuch as are not cited with a Citation upon their own Perſons, need not make ſo much haſte to the Eccleſiaſtical Courts as to break their Shins. And ſo the ſaid *Jones* will return to his ſober Diſcourſe with Doctor *Pinfold.*

Then the ſaid Doctor ſoberly proceeded, telling the ſaid *Jones* that he was under the ſame Circumſtances with his Neighbours, viz. *Preſented by the Church-Wardens, for not coming to his Pariſh Church, and for not receiving the Sacrament*; and added, *I think it in vain to ask when you were at Church, but I will hear what you have to ſay.*

Then the ſaid *Jones* Replyed, *Doctor, I perceive you will deal with me as with my Neighbours, preſently proceed to an Admonition.*

The Doctor ſaid, *You may be ſure of that.*

Jones replied, Sir, I deſire you to hear me a few words, before you proceed to Admonition; for I am not come to Provoke you, and I hope you will not Oppreſs me.

Then the Doctor conſented to hear what *Jones* had to ſay.

Jones. Sir, I am ready to receive and comply with an Admonition to receive the Sacrament, provided you will give me ſuch an Admonition, and in ſuch a Spirit as the Apoſtle *Paul* gave in his days, (at this word the Doctor looked ſomewhat ſtrangely, as if *Pauls* Admonitions were ſtrange things in that Court; but *Jones* went on, ſaying that) *Paul* did Admoniſh Perſons to examine themſelves and come to that Ordinance, and in another place, *Paul* did Admoniſh Perſons to take heed they did not partake with Whore-mongers, and Drunkards, and Railers; in the firſt Admonition, Perſons are taught to look after their *Own Fitneſs*; and in the other Admonition Perſons are taught to take heed of the *Unfitneſs of others*; and ſuch an Admonition I am willing to Receive.

Doctor. You are a very Uncharitable man; what do you Judge your Neighbours to be Whore-mongers?

Jones. Sir, I do but ſpeak what *Paul* ſaid a great while ago, which is Inſtruction to us now; and though I will not ſay, my Neighbours are Whore-mongers, yet this I will ſay, and Appeal to your Conſcience, that there is ſome Perſons mentioned in one of thoſe Scriptures, in moſt, if not in all the Pariſhes of *London*, viz. *Drunkards*, and *Railers*, and I may add, *Dreadful Swearers*, and ſuch as call upon God to damn them; for Wickedneſs is grown bold in all our Streets.

Doctor. Sir you muſt look to your own ſelf.

Jones. Sir, that I learn from the firſt Admonition of *Paul*; and muſt take heed I do not communicate with wicked perſons, from the other Admonition of *Paul.*

Doctor. I Admoniſh, I Admoniſh you to come to Church, and to take the Sacrament in your own Pariſh-Church, between this and the 6th day of *December* next, and bring a Certificate from the Doctor of your Pariſh, that you have ſo done.

Jones. Sir, ſeeing you have proceeded to Admoniſh me, I pray tell me whether you Admoniſh me as a Miniſter, or as a Magiſtrate?

Doctor. I Admoniſh you as a Magiſtrate.

Jones. Sir, then I ſuppoſe you have the Kings Commiſſion for your thus proceeding with me and my Neighbours.

Doctor. What Sir! Do you call the Authority of this Court into Queſtion?

Jones.

Jones. Sir, I rather conclude it; if you be a Magiſtrate, then you muſt have a Commiſſion for what you do, and I deſire to ſee it.

Doctor. Now I ſee what you are, if you had Opportunity you would queſtion the Kings Authority or Title to the Kingdom.

Jones. Sir, that is unworthily ſpoken of you, and though you be a greater man than I am, I cannot bear this, it is Unſufferable, and you cannot anſwer this thing. Sir do you ſit here as a Judge of a Court; and Inſinuate ſo baſe an Accuſation againſt any of his Majeſties Leige People? I would have you to know, and I do here declare, that I do own the Kings Authority, as King of this Realm; and if you have the Kings Commiſſion for this Court, ſhow it me, and I will own the Kings Authority in you.

Doctor. Sir, I will not ſhow it you.

Jones. I have humbly deſired it, but now I demand you to ſhow me the Kings Commiſſion for your keeping this Court, for I deſire to Reverence the Kings Authority wherever I ſee it, and I will Reverence you as the Kings Commiſſioner, if you ſhow your Commiſſion.

Doctor. I do not uſe to carry it in my my Pocket, I will not ſhew it you. Clark go on.

Jones. Well Sir, then I demand a Copy of my Libel, and time to plead to it.

Doctor. I cannot deny you a Copy, you may have it at the Regiſters Office.

Jones. Sir I demand time to plead to it when I have it.

Doctor Sir I will not give you time.

Jones. What Sir, will you choak me with the Sacrament? I do own and Reverence the Sacrament as a holy thing, and an Ordinance of God, but you ought not to force it down my Throat after this manner at your Pleaſure; this is not the way to bring People to a Right Conformity to the Church of *England*, that ſhould be done by good Arguments and gentle Reaſoning.

Then the Doctor bid the Clark go on, and call another Perſon, ſaying, *I have had talk enough with this man.* And another being called, the Doctor after a very few words, proceeded to Admonition, and diſmiſt him.

Jones then ſpake to the Doctor again; ſaying, Doctor, I beſeech you let me haye a few gentle words with you in Coolneſs of Spirit.

Doctor. Why I was not angry.

Jones. Truly Sir, you ſeemed to be angry juſt now, however I do now intreat a kindneſs of you.

Doctor. Speak on, what is it?

Jones. Sir I intreat you to tell me the worſt of this matter, what will be my danger if through ignorance, or neglect, or any thing elſe, I ſhould not take the Sacrament at the time appointed by you?

A Gentleman ſtanding by the Doctor, anſwered, *You muſt go and ask your Councel that queſtion.*

Jones. What need that Sir, ſeeing I am before the Judge of this Court who can tell me all the Proceedings of his own Court? And therefore Doctor, I pray tell me, that I may not be an ignorant Offender, nor an ignorant Sufferer, an Obſtinate one I will not be.

Doctor. Then I will tell you, If you do not come to Church and take the Sacrament by the time appointed, you will be Excommunicated, and afterwards laid up in a Jail.

Jones. But pray Doctor, is there any ſuch Law of God in the New Teſtament, concerning the Sacrament, to lay up People in Jail for not taking of it?

Doctor.

Doctor. I have done with you. And ſo bid the Clark go on, and call ſome body elſe. And thus the matter ended for that day.

Now the ſaid *Jones* further ſaith, That he could not ſee any marks of Honour or Power belonging to a Court held by the Kings Commiſſion, for he could not ſee the Kings Arms in the ſaid Tabernacle; and whether the former Diſcourſe were Pertinent or Impertinent, is ſubmitted to the Conſideration and cenſure of all ſober Perſons when they have well conſidered of the Statute of the 1ſt. of *Edward* the 6th. *Chap.* 2. which take as followeth,

AND whereas the Arch-Biſhops and Biſhops, and other Spiritual Perſons in this Realm do uſe to make and ſend out their Sunmons Citations, and other Proceſſes, in their own names, and in ſuch Form and manner as was uſed in the time of the Uſurped Power of the Biſhop of Rome, contrary to the Form and Order of the Summons and Proceſs of the Common-Law uſed in this Realm, ſeeing that all Authority of Juriſdiction Spiritual and Temporal is derived and deducted from the Kings Majeſty as Supream Head of theſe Churches and Realms of England, and Ireland; and ſo, juſtly acknowledged by the Clergy of the ſaid Realms) That all Courts Eccleſiaſtical within the ſaid two Realms be kept by no other Power or Authority, either Forreign or within the Realm, but by the Authority of his moſt excellent Majeſty. Be it therefore further Enacted, by the Authority aforeſaid, that all Summons and Citations, or other Proceſs Eccleſiaſtical in all Suits and Cauſes of inſtance, betwixt party and party, and all Cauſes of correction, and all Cauſes of Baſterdy or Bigamy, or Inquiry de Jure Patronatus, Probates of Teſtaments, and Commiſſions of Adminiſtrations of Perſons deceaſed, and all Acquittances of, and upon Accounts made by the Executors, Adminiſtrators or Collectors of goods of any dead Perſon, be from the firſt day of July next Following made in the Name and with the Style of the King as it is in Writs Original, or Judicial, at the Common Law, and that the Teſte thereof be in the Name of the Arch-biſhop or biſhop, or other, having Eccleſiaſtical Juriſdiction, who have the commiſſion and Grant of the Authority Eccleſiaſtical, immediately from the Kings Highneſs, and that his Commiſſary, Official, or Subſtitute, Exerciſing Juriſdiction under him ſhall put his name in the Citation or Proceſs after the Teſte.

Furthermore be it Enacted by the Authority aforeſaid, that all manner of perſon or perſons who have the Exerciſe of Eccleſiaſtical Juriſdiction, ſhall have from the firſt day of July before expreſſed in their Seals of Office the Kings Highneſſes Arms decently ſet with certain Characters under the Arms for the knowledge of the Diocels, and ſhall uſe no other Seal of Juriſdiction but wherein his Majeſties Arms be ingraven, upon pain that if any perſon ſhall uſe Eccleſiaſtical Juriſdiction (after the day expreſſed) in this Realm of England, Wales, or other his Dominions or Territories, and not ſend or make out the Citation or Proceſs in the Kings Name, or uſe any Seal of Juriſdiction other then before Limited, that every ſuch Offender ſhall incur and run in the Kings Majeſties Diſpleaſure and Indignation, and ſuffer Impriſonment at his Highneſſes Will and Pleaſure.

Now whether the Eccleſiaſtical Courts have ſuch Authority from the Kings Majeſty by Commiſſion under the great Seal of *England*, and do proceed in the Exerciſe thereof, according to the recited Statute of the 1 *Edw.* 6. the ſaid *Jones* doth humbly leave it with Doctor *Pinfold* to give a Satisfactory Demonſtration of it.

However the ſaid *Jones* hath yet no cauſe to conclude that the Eccleſiaſtical Courts have ſuch Power, or have ſo Legally Proceeded with him, and many other Perſons, firſt, becauſe the firſt ſtep of Proceeding, *viz.* the Citation, was not in the Kings Name.

Secondly, Becauſe Doctor *Pinfold* refuſed to ſhow the Kings Commiſſion when humbly deſired, and honeſtly demanded in the place where he held his Court, which if the ſaid Doctor had been impowered according to the former Statute, it had been very eaſy for him to have given ſome convincing Demonſtration thereof, and then the ſaid *Jones* would have ſo declared the matter to others of his fellow Proteſtants, as might have prevented many People from finding fault with the ſaid Court, and have cauſed them to give the more Reverence and Reſpect becauſe of his Majeſties Authority according to Law.

But it may be ſome will ſay, that the aforeſaid Statute of 1 *Edw.* 6. 2. hath been Repealed. The ſaid *Jones* doth grant that to be true, but then let it be well conſidered by whom it was Repealed, and that was by Queen *Mary*, a ſhee-Popiſh Succeſſor, an Enemy to the Proteſtent Religion, and to Proteſtants of all ſorts, who made a change in Eccleſiaſtical Courts, as well as in other Courts, Popiſh Perſons being made Judges, Officials, and Surrogates to manage Eccleſiaſtical Affairs, according to the Popiſh way, and then were the poor Proteſtants, the Diſſenters of that time, and were handled accordingly, being Cited to the Eccleſiaſtical Courts, and Excommunicated, and then delivered up to the Temporal Power for Impriſonment and death alſo, becauſe they were the Non-Conformiſts of that day, and did not in all things ſubmit themſelves to the Government as Eſtabliſhed by Law; though they had the holy word and Law of God on their ſides. This may teach all Perſons to take heed of inſiſting too much upon National Laws, in matters of Religion, becauſe they who are the Conformiſts in one Kings Raign, may be the Non-Conformiſts in his Succeſſors Raign; and they would not think it a ſufficient Argument againſt them, that their Opinions and Practices are contrary to the Government Eſtabliſhed by Law: But whether the men of *Doctors-Commons* may not believe that a change of Religion Eſtabliſhed by Law, is not a ſufficient Argument to keep their places, and plead Conformity, ſhall be left for time to manifeſt.

And now the ſaid *Jones* will return to the Repeal of the former Statute, *Anno Primo Mariæ Seſſio Secunda chap.* 2. A Repeal was made of the Statute of the firſt of *Edw.* 6. 2. called an Act for the Election of Biſhops which is the aforecited Statute.

But then it muſt be again conſidered, the Statute of Repeal of 1 *Mary* 2. was repealed by King *James*; ſee *Anno* 1 *Jacobi Regis Chap.* 25. in theſe very words. **And be it further enacted by the Authority of this preſent parliament, that an Act made in the firſt year of the Reign of Queen** Mary, Entituled, An Act for the Repeal of certain Statutes made in the time of King *Edward* the ſixth, **ſhall ſtand Repealed and Void.**

So that now it is Evident that Queen *Maries* repealing Statute being repealed and made void by King *James*, thoſe Statutes of King *Edward* the ſixth, are now in full force, they being left in the ſame Life and Strength as when they were firſt made, unleſs it can be proved that a Repeal of them hath been made ſince the Statute of 1 *Jacobi Chap.* 25.

And ſo the ſaid *Jones* will return to give a further Account of his own Caſe and further ſaith, that between the time of the Admonition, and the time appointed by Doctor *Pinfold*, for him to take the Sacrament, he did adviſe with ſuch as were learned in the Laws of *England*, and had a Plea in Law, prepared and

and drawn up as an Anſwer, to what he was charged with in the Preſentment of the Church-wardens of his ſaid Pariſh.

A Copy of which Preſentment take as followeth.

George Cole *and* William Baron *Church-Wardens, of the Pariſh of St.* Bartholomew Exchange, *each do declare as followeth :*

Whereas we cannot of our own knowledge prove who of the Pariſhoners have and who have not been at Church, and for that Mr. Robert Key, *the late Church-Warden did promiſe to give in and make up his Accounts, we gave in our Preſentments as we did.*

For the Perſons following we do not Remember to have ſeen them at Church in ſome time paſt, or to have received the Sacrament, for three Months paſt.

Mr. *Robert Key.*
Mr. *Peter Kid.*
Mr. *Michael Bayly.*
Mr. *Job Sargant.*
Mr. ------*Jones.*
Mr. ------ *Walker.*

Mr. *Francis Miller.*
Mr. *John Millward.*
Mr. *Thomas Netherway.*
Mr. *George Sterman.*
Mr. ------ *Jackſon.*

And as touching the aforeſaid Preſentment, the ſaid *Jones* doth verily believe that the Church-wardens did not do it as an Act of Envy or ill will to their Neighbours, for as much as the names of the before mentioned Pariſhoners were carried to *Doctors-Commons* by ſome body elſe, and then the Church-Wardens were ſent for to *Doctors-Commons*, and required to put them into a Preſentment, and the ſaid Church-wardens did then forbear to do ſo, but about a week after they did it, at the importunity of ſome perſon at *Doctors-Commons*. However the ſaid *Jones* cannot but take notice, that the Church-wardens were very ſparing of their words, in the Preſentment, there is no harſh Expreſſions againſt any of their Neighbours, neither have they made it a Poſitive charge, thereby demonſtrating they were men cautious of what they did in matters of Accuſation, but it ſeems any ſmall hint at things of an Accuſing nature, may ſerve as a Foundation of the Proceedings of that Court.

And the ſaid *Jones* further ſaith, that if the aforeſaid Church-wardens had not conſented to make this Preſentment, they could not have been puniſhed by that Court: And ſeeing the names were carried into Court by ſome other perſon, they might have left him to be Proſecutor who was ſo forward to turn Informer.

But this matter being done, it cannot be now undone, and poor *Jones* doth yet hope he ſhall not be quite undone by it.

And for the Benefit and help of Church-wardens, who are required by the Eccleſiaſtical Courts to take an Oath, to make Preſentments of Crimes and Offences, let the Statute of *Anno Decimo Sexto Caroli Prim. Chap.* 11. *Paragr.* 4. be well conſidered, that ſo they may not be Impoſed upon in ſuch matters. The words of the Statute are as followeth,

And be it alſo Enacted by the Authority aforeſaid, that no Arch-biſhop, Biſhop nor Vicar General, nor any Chancellor, Official, nor Commiſſary of any Arch-biſhop, or Vicar General, nor any Ordinary whatſoever: Nor any other Spiritual or Eccleſiaſtical Judge, Officer or Miniſter of Juſtice, nor any other Perſon or perſons whatſoever, exerciſing Spiritual or Eccleſiaſtical power, Authority, or Juriſdiction, by any grant Licence, or Commiſſion of the Kings Majeſty,

ſty, his Heirs or Succeſſors, or by any Power or Authority derived from the King his Heirs or Succeſſors, or otherwiſe, ſhall from and after the firſt day of *Auguſt*, which ſhall be in the year of our Lord God one thouſand ſix hundred and forty one; Award impoſe or inflict any pain, penalty, Fine amerciament, Impriſonment, or other Corporal Puniſhment, upon any of the Kings Subjects, for any Contempt, Miſdemeanour, Crime, Offence, Matter or thing whatſoever, belonging to Spiritual or Eccleſiaſtical Cognizance, or Juriſdiction, or ſhall Ex-Officio, or at the Inſtance or Promotion of any other perſon whatſoever, urge, Enforce, Tender, give or miniſter unto any Church-Warden, Sideman, or other perſon whatſoever, any Corporal Oath whereby he or ſhe ſhall or may be charged, or Obliged to make any Preſentment, of any Crime or offence, or to confeſs, or to Accuſe himſelf or herſelf, of any Crime, Offence, Delinquency, or Miſdemeanour or any Neglect, matter, or thing whereby, or by Reaſon whereof, he or ſhe ſhall or may be Liable or Expoſed to any Cenſure, pain, penalty, or puniſhment whatſoever, upon pain and Penalty, that every perſon who ſhall Offend contrary to this Statute, ſhall forfeit and pay Treble Damages, to every perſon thereby grieved, and the ſum of one hundred pounds, to him or them who ſhall firſt demand and Sue for the ſame, which ſaid Treble Damages, and ſum of one hundred pounds ſhall and may be demanded, and Recovered by Action of Debt, Bill and plaint, in any Court of record, wherein no priviledge, Eſſoine, protection, or Wager of Law, ſhall be admitted or Allowed, to the Defendant.

But it will be objected by ſome that this Statute is repealed; unto which it is anſwered, by the ſaid *Jones*, that the firſt part of the afore-recited Statute is repealed; but the ſecond part, *viz*, that in which mention is made, of impoſing the Oath *Ex-Officio* or any other Oath to the damage of any of the Kings Subjects, is repeated and Confirmed by the Statute of *Decimo tertio Caroli Secundi Chap.* 12. *Paragraph.* 4.

Provided alſo, and it is hereby further Enacted, that it ſhall not be Lawful for any Arch-biſhop, Biſhop, Vicar General, Chancellor, Commiſſary, or any other Spiritual or Eccleſiaſtical Judge, Officer or Miniſter, or any other perſon having or Exerciſing Spiritual or Eccleſiaſtical Juriſdiction, to Tender or Adminiſter unto any perſon whatſoever the Oath uſually called the Oath Ex-Officio, or any other Oath, whereby ſuch perſon to whom the ſame is tendered, or Adminiſtred, may be charged or Compelled, to confeſs or Accuſe, or to purge him or herſelf of any Criminal matter or thing whereby he or ſhe may be Liable to Cenſure or puniſhment; any thing in this Statute, or any other Law, Cuſtom or Uſage heretofore to the contrary hereof in any wiſe notwithſtanding.

And for a better Underſtanding what Power or Authority Eccleſiaſtical Perſons have or have not, conſider well the laſt clauſe of the before recited Statute.

Provided always, That this Act or any thing therein contained, ſhall not extend or be conſtrued to Extend, to give unto any Arch-biſhop, Biſhop, or any other Spiritual or Eccleſiaſtical Judge, Officer, or other perſon, or perſons, aforeſaid any power or Authority to Exerciſe, Execute, Inflict, or Determine any Eccleſiaſtical Juriſdiction, Cenſure or Coertion, which they might not by Law have done before, the year of our Lord 1639. nor to Abridge or Diminiſh the Kings Majeſties Supremacy, in Eccleſiaſtical Matters and Affairs, not to confirm the Canons in the year 1640. nor any of them, nor any other, Eccleſiaſtical Laws or Canons not formerly confirmed, Allowed, or Enacted by parliament, or by the Eſtabliſhed Laws of the Land, as they ſtood in the year of our Lord 1639.

From which two Statutes theſe things are to be Conſidered:

1. That the Statute of 1 *Eliz. Chap.* 1. *Sect.* 18. by which ſome Power and Authority extraordinary, was Exerciſed by Eccleſiaſtical Perſons to the great wrong and damage of his Majeſties Subjects, is repealed and made void by *Car.* 1. and *Car.* 2.

2. That

2. That though the Repealing Statute of *Car.* I. chap. 11. be Repealed by 13th *Car.* II. chap. 12. yet the Eccleſiaſtical Party have thereby no power or Authority given or left unto them, but ſuch ordinary power as they had before the making the Repealed Statute.

3. That the Impoſing of Oaths by Eccleſiaſtical perſons to the damage of any of His Majeſties Subjects is plainly forbiden by the Statutes of 16 *Car.* I. chap. 11. and 13 *Car.* II. chap. 12.

4. That the Eccleſiaſtical Party have not any power to proceed againſt any of His Majeſties Subjects, or to make or confirm any Cannon or Eccleſiaſtical Laws, otherwiſe then was Allowed and Confirmed to them by Acts of Parliament, and the Eſtabliſhed Laws of the Land, as they ſtood in the Year 1639. and how much or how little that was, ſhall be left to further Search.

And ſince the making of the aforeſaid Statute of 13 *Car.* II. *viz.* in the 27th year of his Majeſties Reign, one *Thomas Watersfeild*, Church-Warden of the Pariſh of *Arundel*, in the County of *Suſſex*, was Impoſed upon by the Biſhop of *Chicheſter*, *to take an Oath, That he ſhould with his utmoſt dilligence, Preſent every perſon, which then or lately was inhabiting within the ſaid Pariſh of* Arundel, *who hath done any Offence, or neglected any Duty, mentioned in certain Articles, contained in a certain printed Book: In which book, amongſt other things, there was contained this Queſtion*, viz. *Whether every perſon inhabiting, or ſojourning within the Pariſh of* Arundel *aforeſaid, did daily reſort every Lords day and Feſtival daies Appointed for Divine Service, to the Church? And whether they did there remain the whole time of Divine Service, quietly, with Reverence, order and decency?*

Which Oath the ſaid Church-Warden did refuſe to take, and for it was afterward Excommunicated by the ſaid Biſhop. But the ſaid *Watersfeild* brought his Caſe before His Majeſties Judges of the Court of *Common Pleas*, who relieved and releaſed him by a Prohibition; in which and wherein it is plainly Declared on the behalf of the Kings Majeſty, as followeth *viz. That by the Laws of this our Realm of England, no perſon ought to be cited to appear in any Court Chriſtian; before any Judge Spiritual, to take any Oath, unleſs it be only in Caſes Matrimonial or Teſtamentary.* And the aforeſaid Biſhop is in the ſaid Prohibition Charged with Breach of the aforeſaid Statute of 13 *Car.* II. and of the Common Law of this Realm, and therefore was required to Releaſe and diſſolve all Decrees and Sentences againſt the ſaid *Thomas Watersfeild.* And for your further ſatisfaction pray go and look the Prohibition. But to return to our Narrative.

The ſaid *Jones* further ſaith, That upon the Sixth day of *December*, inſtead of carrying a Certificate of his taking the Sacrament, he carried his Plea in Law, to Doctor *Pinfold*'s Court, then held in the Tabernacle, in *Old-Fiſh-ſtreet*, *London*; and took witneſſes with him, and preſented his Plea to the Doctor; but he refuſed to take it, ſaying he would go thorrow what he was then upon. The ſaid *Jones* bid the Doctor take notice he was there and he would wait; which he did above an hour, till the Doctor ſpoke of Adjourning the Court.

Then *Jones* ſpoke to the Doctor as followeth, Doctor, this Paper is a Plea in Law againſt the Preſentment of the Church-Wardens: I deſire you to receive it, and of Right demand you to Record it in your Court Book, and Doctor I pray do not take what I am now going to ſay to you as an Angry word proceeding from my own breaſt, but I am Adviſed to ſay: Excommunicate me at your peril; this is my Plea, and I will ſtand by it. Then the Doctor ſaid, Leave it; and *Jones* ſaid, Record it: this was ſpoken ſeveral times over by each; at which Inſtant ſomebody pulled off a Gentlemans Hat; and ſome buſle was like to be in the Court: and *Jones* deſired the Doctor to Record his Plea, and he would be gone, and not be concerned with any Tumult. The Doctor ſaid, Leave it, and I will preſently Adjourn the Court; which was done accordingly.

A Copy of the forementioned Plea, *is as followeth.*

The Anſwer of *James Jones* of *London*, to the pretended Charge or Preſentment of *George Cole* and *William Barron*, Church-Wardens of the Pariſh of St. *Bartholomew Exchange*: Exhibited on the Fourteenth day of *November* laſt; before the Worſhipful *Thomas Pinfold*, one of the Judges of the *Eccleſiaſtical Courts.*

1. THE ſaid James Jones *alwaies reſerving to himſelf, and praying the liberty of a further and more full Anſwer, and in more due form of Law, and the benefit of all Legal Exceptions to the ſaid Charge or Preſentment, ſaith, that he the ſaid* James Jones *cannot determin*

the bounds of Dioceſſes and Pariſhes; and therefore whether he the ſaid James Jones *be, and during the time in the ſaid pretended Preſentment, was an Inhabitant within the ſaid Pariſh; but referreth himſelf to the due proof thereof according to Law.*

2. *The ſaid* James Jones *ſaith, he is credibly informed, and hopes to prove the ſame; that the ſaid Church-Wardens ſometime ſince their being in that Office, and before the pretended Preſentment, did upon their Oaths Return into the Court* Omnia bene, &c. *or did not Charge the ſaid* James Jones *with any Offenee, and therefore, if he the ſaid* James Jones, *were an Inhabitant within the ſaid Pariſh, (as the pretended Preſentment ſuppoſes) he the ſaid* James Jones *ought to be ſuppoſed innocent, and free from any fault. And for the time of ſuch their firſt Preſentment, he the ſaid* James Jones *referreth himſelf, and demands the ſight and proof thereof.*

3. *The ſaid* James Jones *ſaith, That the now pretended Preſentment, againſt this Reſpondent,* &c. *is not ſufficient in the Law; it being not poſitive, but doubtful and uncertain, and therefore, he the ſaid* James Jones, *ought not to Anſwer thereunto, or to receive any admonition upon ſuch an Illegal Preſentment, for that all Preſentments (as the ſaid* James Jones *is adviſed) ought to be certain, and not doubtful, before any Anſwer by Law ought to be given. The Law of this Realm of* England, *not compelling any perſon to accuſe himſelf: and by the words of this pretended Preſentment, the ſaid Church-Wardens have not accuſed him of any Crime, but only ſaith they cannot of their own knowledge, know who of the Pariſhoners, who have, and who have not been at Church,* &c. *And further they do not remember to have ſeen the ſaid* James Jones, &c. *at Church for three months laſt paſt: which is no Charge according to Law, for that it ought to be certain, that the ſaid* James Jones, &c. *did not come to his Pariſh Church.*

4. *The ſaid* James Jones *ſaith, That it doth not appear by the pretended Preſentment, That he the ſaid* James Jones *is the perſon Preſented; foraſmuch as his full and compleat Name was not in the Preſentment, at the time of the Exhibition thereof. And he the ſaid* James Jones, *conceives it cannot be Legally inſerted or added afterwards in the ſaid Preſentment.*

All which the ſaid James Jones *does inſiſt upon and prays this Court, to take the ſame into their Conſideration, and that he may be hence Diſcharged.*

Subſcribed and delivered into the Eccleſiaſtical Court, by the hand of *James Jones*, on the Sixth day of *December*, 1682.

THE ſaid *Jones* having thus proceeded, he waited ſeveral daies, thinking he ſhould be Cited to have ſome kind of Anſwer to his Plea: whether it was Accepted or Rejected; but not hearing any thing at all, upon the Eleventh of *December*, the ſaid *Jones* went again to Doctor *Pinfolds* Court in the Tabernacle of *Old-Fiſh-Street*, *London*; that ſo he might obſerve Proceedings, and to make anſwer if he ſhould be called upon. Which day many Pleas were delivered into the ſaid Court; which the Doctor received with great civillity, and promiſed a Hearing of them all, the next Fryday following. The ſaid *Jones* being not that day called, kept ſilence, and did not urge his own Caſe, leaſt he ſhould be counted a Troubler of that Court; and therefore reſolved to attend Doctor *Pinfold* the Fryday following: concluding that then he ſhould have opportunity to have his Plea debated as well as others. Eſpecially conſidering that his Plea was one of the firſt that was delivered into that Court.

When Fryday came, which was the Fourteenth of *December*; the ſaid *Jones*, with a great number of His Majeſties Proteſtant Subjects, went to *Doctors Commons*; for Doctor *Pinfold* had ordered the Hearing of the Pleas to be there in, a very large place, like a great Hall, which looked ſomewhat more like a Court than the Tabernacle. At which time Doctor *Pinfold* appeared as Judge. And Counſellor *Welden* and Counſellor *Hooke*, and one of the Doctors belonging to the ſame Court, *viz.* Doctor *Rains*, appeared to Plead for them that had put in their Pleas. And the Cauſe of Mr. *Morrymer*, and one Mr. *Duberry*, were debated, with great Soberneſs and ſtrength of Argument: touching the Errors of the Preſen tments, and that Courts Impoſing the Sacrament at ſuch particular times as the the Law doth not Impoſe it upon any of His Majeſties Subjects. Doctor *Pinfold* ſaw he was hard put to it, in the beginning of this work, and therefore, after a little Debate of the matter, between him and the Counſellers: he ſpread forth his hands and ſaid, he would hear no more Pleas, but he would Anſwer them all by the Seal of the Court to morrow moruing. And ſo the Doctor went away without any Formal Adjourning the Court, or diſmiſſing that great Aſſembly; not any Officer appearing to open his mouth, ſo much as to ſay, God ſave the

the King. And so that great Assembly departed, in very peaceable manner, as became His Majesties peaceable Subjects, though greived in their minds at such proceedings. The said *Jones* was ready to appear in his own Case, if he had been called, or if there had been opportunity: he being prepared with a Supplyment to his Plea: drawn up by the Learned in the Law. A Copy whereof take as followeth.

The further Answer and Supplyment of James Jones, *to the Presentment aforesaid.*

Impri- THE *said* James Jones *saving and reserving, as in his former Answer he hath already* mis *prayed, saith, That it doth not appear by the said Presentment, or pretended Presentment, That the same was made upon the Oaths of the said Church-Wardens: which the said* James Jones, *is Advised ought to have been Asserted in the said Presentment, or pretended Presentment, in regard (as the said* Jones *is advised) no Presentment is legal and sufficient in the Law, to be Answered unto: nor ought the said* Jones *to Answer any Presentment but what is given in upon Oath to this Court. The Laws and Customs of this Land not permitting any of the Kings Leige Subjects, to be any ways vexed or greived, or to be called into question by any Court whatsoever, thereby to be Charged with any Offence; but upon the Oath of One or more persons. Nor ought any Accusations to be received by this Court against the said* James Jones *but upon Oath. For that the said* James Jones *is a free born Subject of* England; *unconvicted or Accused legally of any Crime, and therefore is Advised he ought not to make any Answer to such a Presentment, until it doth appear to be according to Law.*

2. *And the said* James Jones *saith, That by no Law of this Realm, any Lay-man can be compelled or Obliged to Receive the Sacrament, more or oftner, than three times in the year, viz, at* Easter, *and the two other times in the year are left free, and Indifferent, to the party; when he is best fitted and prepared. And the said* James Jones *saith, he is a Layman, and doth not know of any Law, that doth Abridge him of that Liberty; or oblige him to Receive it oftner; or otherwise in any fixed time: wherefore, forasmuch as the Church-Wardens, that made the said Presentment, or pretended Presentment, could not Legally Present the said* James Jones, *for any Offence, but such as do, or shall arise since* Easter *last: and for that there is abundantly sufficient time, for him the said* James Jones, *to perform what by Law is required, viz. to Receive the Sacrament twice betwixt this and* Easter, *and once then. And that as the said* James Jones *hath not broken any Law, so neither, as he conceives and is advised, is there any ground for any Citation or Admonition against him, nor that any Admonition should or can limit him where the Law hath left him free; nor may this Court Compell him by Ecclesiastical Censures, or otherwise, to Receive the Holy Sacrament in a shorter or fixed Time, or any otherwise limit him than the Law hath specified, directed, or allowed.*

Which the said James Jones *insists upon, with what before he hath already insisted on, and prayed as before he hath already prayed.*

James Jones

An Addition to the Supplyment.

AND furthermore the said *Jones* saith, That besides all that is contained in his Plea, and Supplyment to the said Plea, he had more Matter to be Argued in his Defence against the aforesaid Presentment, to show the deficiency and insufficiency thereof. A breif account of which take as followeth.

1. He the said *Jones* saith, That there is no mention of what Dioces the aforesaid Parish (and he as Inhabitant thereof) is, which should have been plainly Expressed in the said Presentment.

2. The said *Jones* saith, That he was Prosecuted for Non-conformity, before His Majesties Justices of the Peace, in the County of *Surrey*, and particularly for not coming to Church: which is the same thing mentioned in the Church-Wardens Presentment, and for which the said *Jones* is Excommunicated. Now for the said *Jones* to be punished in the Temporal Courts and in the Ecclesiastical Court, at or about the same time, seems be contrary to the Statute of *Anno primo Regni Eliz.* Chap. 2. which saith, Provided alwaies, and be it Enacted, That whatsoever persons Offending in the premises shall for their Offences first receive Punishment of the Ordinary, having a Testimonial thereof under the said Ordinaries Seal: shall not for the same Offences oftsoons be Convict before

fore the Justices: and likewise Receiving for the said Offence punishment, first by the Justices: shall not for the same Offence afterwards Receive punishment of the Ordinary, any thing contained in this Act to the contrary notwithstanding.

3. And he the said *Jones* saith, That the Church-Wardens did not in their Presentment Alledge against him, That he had not any Lawful or Reasonable Cause to shew why he had not been at Church or Sacrament of so long a time, mentioned in the presentment. *See* 1 *Eliz. Cap.* 2. *Paragraph* 14.

4. And he the said *Jones* saith, That whereas Errors in an Indictment at Sessions or Assizes, or Errors in a *Mittimus* whereby a man is Committed to prison, will when Legally Pleaded, overthrow and make void such Indictment or Commitment, and so relieve the Indicted and Committed person; Even so and much more should the said *Jones* by reason of a Deficient and Insufficient Presentment, be Discharged from the Ecclesiastical Court, as he prayed in his aforesaid plea and Supplyment, and therefore the said *Jones* doth conclude, that it is better to be concerned with the Kings Justices, and Judges, who Sitt by Commission from the King, in the Kings Courts of Record, than to be concerned with any Ecclesiastical Court, and such as are Doctors and Judges in the said Courts.

The said *Jones* further saith, he heard no more from *Doctors-Commons* till the Twentieth of *December*, and then the Doctor of his Parish, *viz.* St. *Bartholomew Exchange*, did in very friendly manner acquaint the said *Jones*, that an Excomunication against him was come from *Doctors Commons*. and that the said Doctor was ordred to publish the said Excommunication next morning, being St. *Thomas*'s day: unto which the said *Jones* Reply'd, That the Ecclesiastical Court had proceeded Illegally in going so far as an Excommunication, and demonstrated the same in two Particulars, First, that he the said *Jones* had given a Plea in Law to that Court against the aforesaid Presentment, and was never admitted to be heard upon his Plea, which is contrary to the Laws of *England*, to have any Sentence pass upon any man to his damage, without his Cause be Legally heard and Debated. Secondly, That it was not in the power of the Ecclesiastical Court Legally to Excommunicate the said *Jones* for not taking the Sacrament at any such time as that Court should at their pleasure Appoint, there being but one time of the year named for Receiving the Sacrament, *viz*: *Easter*. The aforesaid Doctor reply'd, he was sorry things were brought to such a point, but he could not avoid obeying the Order of *Doctors Commons*, and so the next day being *Dec.* 23. called St. *Thomas* day, the Excommunication was published in the Parish Church called St. *Bartholomew Exchange*: and upon the Twenty third day of the same Month, the said *Jones* went with a Witness with him to the Registers Office, and demanded a Copy of the Libel against him, but the said *Jones* could not have it though he offered payment for the said Libel. And upon the Twenty Sixth of the same Month, the said *Jones* took witness with him and demanded a Copy of all the Proceedings of the Court, and particularly a Copy of his Plea: the Clerk did promise a Copy of the proceedings of the Court, but could not let him have them at that time. And upon the Thirtieth day of the same Month, the said *Jones* went and a witness with him for the aforesaid Copy, but it was not done; the said *Jones* then allowed the Clerk till the next *Monday*, and the Clerk would not promise to have those things copied by that time, pleading it was Holy-daies, and that was the reason they were not done; the said *Jones* replyed, That it was a strange thing to him, they could not write their own proceedings upon a Holy-day, as well as Excommunicate him upon a Holy-day. The said *Jones* waited till *Wednesday* the Third of *January*, and then went with his friend for the aforesaid Copy, and then the Clerk said, That he whom he had appointed to draw out the aforesaid Copy was out of the way, himself was going from the Office at that time, and so the said *Jones* came away without what he so much endeavored to have, going more times to the Office than he was bound to do.

Thus things remained till about a fortnight before *Hilary* Term, and then the said *Jones* went and made Affidavit, before Judge *Charleton*: the form of the said Affidavit is as followeth, *James Jones* of *London*, Merchant-Taylor, deposeth upon Oath, That he was Cited into the Ecclesiastical Court, before Doctor *Pinfold*, and made his appearance, and since hath been at the Registers Office, and there demanded a Copy of his Libel, but could not obtain it, though he offered payment for the same.

And

And after this upon the twenty third day of *January*, 1682. being the first day of the Term, the said *Jones* with a few others moved the Honourable Judges of the Kings Court of Common Pleas, for Prohibitions, upon the not obtaining Copies of their Libels, when demanded, and payment offered for the same; the particular Affidavits of that matter being read in Court, and moved by several Serjeants at Law: the Judges were pleased to grant Prohibitions with a *Nisi causa*, *viz.* if Doctor *Pinfold* could not shew cause against them, and a Rule of Court was served upon Doctor *Pinfold* to Appear before the Judges of the *Common Pleas*, on *Fryday* the twenty Sixth of the same Month, but the said *Jones* thought it expedient to move the honourable Judges of the *Kings-Bench* for a Prohibition, and therefore made Affidavit of not obtaining a Copy of his Libel, before the honourable Judge *Dolben*; and it was read before the Judges of the *Kings Bench* upon the twenty fifth of the same Month, and that honourable Bench was pleased to grant a Prohibition for the said *Jones*, but the next day being the twenty sixth of *January*, Doctor *Pinfold* engaged Sir *George Jefferies*, who is well known to be a Lawyer that will stoutly defend and maintain the cause he is engaged in, either for the King, or any of his own Clients, against the plaintiff or defendant, on the other side, and in this Case, there was no want of words by Sir *George*, to overthow the Prohibitions, both at *Kings Bench* and *Common Pleas*: but the said *Jones*, doth take it a little unkindly that Sir *George Jefferies* should with such sharpness of Spirit reflect upon him, before the honourable Judges, as if he had surreptitiously obtained the grant of a Prohibition, and highly blamed the said *Jones* for moving in two of His Majesties Courts for the said Prohibition; but if the said *Jones* had been then in Court, he would have ventured by humble desire to the honourable Judges, to make a modest and honest reply to that Gentleman without being so sharp upon him, and therein have shewed, that the obtaining that Grant of a Prohibition, could not fairly be counted Surreptitious, because the honourable Judges granted it upon the Affidavit of the said *Jones* then read in Court, the truth of which Affidavit the said *Jones* would have sworn before all the Judges of *England*, *viz.* that he had been at the Registers Office and demanded a Copy of his Libel, and could not obtain it, though he offered paymnent for the same, and in this very case the Law hath provided a Prohibition, for the the releif of the Kings Subjects, who are too often vexed by the Ecclesiastical Courts: See the Statute of the 2 *Hen.* V. chap. 3. the words are these,

Item, Forasmuch as divers of the Kings liege people, be daily Cited to appear in the Spiritual Court, before Spiritual Judges, there to Answer to divers persons, as well of things which touch Free-hold, Debts, Trespass, Covenants, and other things whereof cognisance pertaineth to the Courts of our Lord the King, as of Matrimony and Testament, and when such persons so Cited appear and demand a Libel of that which against them is surmised to be informed to give their answer thereunto, or otherwise to purchase a Writ of our Lord the King, of Prohibition, according to their Case, which Libel to them is denied by the said Spiritual Judges, to the intent that such persons should not be aided by any such Writ against the Law, and to the great damage of such persons so impleaded: our said Lord the King by the advice and assent of his Lords Spiritual, and Temporal and at the request and instance of the said Commons, hath Ordained and established, that at what time the Libel is grantable by the Law, that it may be granted and delivered to the party without any difficulty. From which good Statute, let these things be considered,

1. That the Spiritual Courts ought to have Libels of those matters that are surmised against the Kings Leige people,

2. That upon demand, without any delaies, copies of such Libels ought to be given to inch of the Kings Leige people as make a demand of them, that thereby they may be enabled to make a legal defence for themselves, either respecting the matter of fact surmised against them, or any illegal Proceedings in the mannagement thereof.

3. That such of the Kings leige people as are denied or cannot obtain a copy of such Libel when grantable by Law, shall have the Kings Writ of Prohibition, for their releif; or if the matters surmised against them in the Spiritual Court be such things whereof cognisance pertaineth to the Court of our Lord the King; besides those of Free-hold, Debt, Trespass or Covenants, they may have for their releif a Prohibition.

Now the said *Jones* humbly conceives that the matters surmised against him in the Spiritual Courts are such things whereof cognisance pertaineth to the Court of our

Lord the King, *viz.* an uncertain Information of the Church-Wardens, saying in their Presentment, They could not of their own knowledge prove who of the Parishioners have, and who have not been at Church, and that they did not remember to have seen the said *Jones* at Church for some time past, or to have Received the Sacrament, for three Months past: and besides these things surmised, when they were in the Ecclesiastical Court, a Copy of a Libel concerning them could not be obtained when demanded, upon which the said *Jones* moved for a Prohibition; but Sir *George Jefferies* in managing the cause for Doctor *Pinfold*, did plead there was no Libel in that case, and therefore the Ecclesiastical Court could not grant it when demanded, and that Doctor *Pinfold* had proceeded by the Presentment of the Church-Wardens. The said *Jones* doth not blame Sir *George* for making this Plea for the Doctor; but the question is, Whether Doctor *Pinfold* ought not to have a Libel in the Case, as well as a Presentment? the Statute mentioning a Libel of things surmised against the Kings liege people: however the Kings Subjects have good cause to esteem the Proceedings of the Kings Courts of Justice, where there is not only Presentments but afterwards Indictments, and time allowed to the Kings Subjects to defend themselves, and the Accusers brought to the face of the Accused, and upon not making substantial proof of matters of fact, the Kings accused subjects are by the Judges and the Law discharged: but the said *Jones* and a multitude of his fellow Protestants, have not had such fair dealings in Doctor *Pinfold*'s Court, and therefore the said *Jones* hath cause to say, *From such Courts, and such Proceedings, Good Lord deliver us.* And whereas the said *Jones* is informed that Sir *George* did reflect upon him for moving in the Kings Court of Common Pleas, before he came to move in the Kings Bench, for a Prohibition: as being willing to have two strings to his Bow, the said *Jones* doth humbly desire Sir *George* to consider that it is every mans concern to do his best and use the utmost means in a legal way, to accomplish his relief: and the said *Jones* doth believe that if it had been his happiness to have engaged Sir *George Jefferies* as his Conncel in this case, it had not been lost for want of speaking to it, as it was by the Silence of some Serjeants at Law, that were expected to make some Reply in that Case; and the Lord Chief Justice *Pemberton*, then Sitting upon the Bench, was willing to hear a Reply. What was the cause of that silence, whether because they could not speak, or because they would not speak, or because they dared not to speak, or because they had not sufficient Fees to speak, Grand-father Time must shew. But whether because one Serjeant spoke so much, and others said nothing at all, Prohibitions weare overthrown in *Westminster-Hall*, shall be left to consideration. However the said *Jones* saith, That he was encouraged to take this way, because divers of the Kings Subjects have thereby had releif, formerly, from the power of the Ecclesiastical Courts, who were under the same circumstances, and therefore the said *Jones* doth humbly pray Sir *George Jefferies* to consider, that not every cause he hath mannaged, either for the Plaintiff or Defendant, hath gone currant before the Judges in *Westminster-Hall*, which is a sufficient evidence that either the cause undertaken was not right, or else that Sir *George*'s Clients had some wrong; and therefore no marvel if one or other of these things have attended poor *Jones*, and others, who have proceeded by the Advice of the Learned in the Law: however this little victory over *Jones* and his fellow Protestants gave occasion to Doctor *Pinfold* to rejoice and boast and glory that night at Doctors Commons, as if his cause were fifty in the hundred the better for that daies work; but it is humbly desired by the said *Jones*, that the Doctor would seriously consider that saying in a good old Book called, *The Holy Bible*: *Let not him that girdeth on his harness, Boast himself as he that putteth it off*, 1 Kings 20. 11.

Furtthermore, The said *Jones* doth certifie Doctor *Pinfold*, and all others concerned, That he hath a love and a reverent Esteem of the Holy Sacrament, called in holy Scripture *the Supper of the Lord*, and hath solemnly as becometh a Christian, Taken the said holy Ordinance divers times within the time mentioned in the aforesaid Presentment, and divers times since the aforesaid Admonition, and that in both kinds, of Bread and Wine, and in such manner, and to such ends, as is expressed in the Statute of 1 *Edw.* VI. chap. 1. in these words, *Paragraph* 1.

Which Sacrament was instituted of no less Author then of our Saviour, both God and Man, when at his last Supper amongst his Apostles; he did take the Bread into his holy hands, and did say, Take, Eat, this is my Body, which is given and Broken for you: and

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taking up the Chalice or Cup did give thanks and say, This is my Blood of the New Testament, which is shed for you, and for many, for the Remission of Sins; that whensoever we should do the same, we should do it in Remembrance of him, and to declare and set forth his Death and glorious Passion until his Coming: of the which bread whosoever Eateth, or of the which cup, whosoever drinketh unworthily, Eateth and Drinketh Condemnation and Judgment to himself. And in Paragraph 7. there are these words,

Therefore be it Enacted by our Soveriegn Lord the King, with the consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, that the said most Blessed Sacrament be hereafter commonly delivered and administred unto the people, within this Church of England and Ireland, and other the Kings Dominions, under both the kinds, that is to say, of Bread and Wine, except necessity otherwise require: and also that the Priest which shall minister the same shall at the least one day before Exhort all persons which shall be present to resort and Prepare themselves to Receive the same, and when the prefixed day cometh, after a Godly Exhortation, by the Minister made, wherein shall be further expressed the benefit and comfort, promised to them which worthily receive the holy Sacrament: and danger and indignation of Almighty God threatned to them which shall presume to receive the same unworthily, to the end that every man may try and examine his own conscience, before he shall receive the same. The said Minister shall not without a lawful cause, deny the same to any person, that will devoutly and humbly desire it: any Law, Statute, Ordinance or Custome, contrary thereunto in any wise notwithstanding, not condemning hereby the usage of any Church out of the Kings Majesties Dominions.

But it is supposed that Doctor *Pinfold* will say, That the said *Jones* hath not taken the said Sacrament in his own Parish Church, according to the Admonition, at the time therein prefixed by the said Doctor: unto which the said *Jones* doth soberly reply, That he doth not know of any Statute Law, that impowereth the Doctor thus to proceed, or that bindeth the said *Jones* to obey, and is much more sure, that there is no Law of Jesus Christ, in all the New Testament for such proceedings: however the said *Jones* saith, That he hath taken the holy Communion, in such a Church as is declared and owned in the Nineteenth Article of the Church of England, *viz. That the Visible Church of Christ is a company of faithful men, in which the pure Word of God is Preached, and the Sacraments be duly Administred, according to Christs Ordinance, in all things that of necessity, are requisite to the same.*

And the said *Jones* saith, That himself and a vast number of His Majesties Protestant subjects, do exercise a Godly care, and maketh great Conscience to Wait upon God, in no other Assemblies then is expressed in the aforsaid Article, *viz. A company of faithful people that have the pure Word of God truly preached, and the Ordinances of God duly administred.*

But it may be the Doctor will say, That *Jones* meaneth the assemblies of Disenters.

To which *Jones* doth reply, That he honestly meaneth no other Assemblies, but such where Christ is preached, as he is declared in the holy Gospel:

1. As God and Man.
2. As being Conceived in the Virgins womb, by the Holy Ghost, and so brought forth into the world to be the Saviour of Sinners.
3. His Death as the Satisfaction of Divine Justice.
4. His Resurrection, for the Justification of all True Beleivers.
5. His Ascension into heaven, and making Intercession at the right hand of God, that so the Godly may be accepted of God, and be received into heaven.
6. The Second Coming of Christ to Judge the quick and the dead: at which time of Judgement, he will receive the Righteous into Eternal happiness, and send the wicked into Eternal misery, after the resurrection of the just and unjust.

And as touching the holy Sacraments the aforesaid Assemblies doth profess and practice water Baptism, as Gods holy Ordinance, and the Lords Supper in both kinds, of Bread and Wine, as a holy Remembrance of Christs Death till he come again, as it is expressed in the Holy Scripture, and in the before mentioned Statute of 1 *Edw.* 6. chap. 1. which Statute doth not compel any of the Kings subjects to come to that blessed Ordinance, to the damage of their own Souls, but strictly warneth to the contrary and requireth persons to come humbly and devoutly, of their own desire.

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Now therefore why the ſaid *Joness*, or any other of the Kings Proteſtant ſubjects, ſhould be proſecuted to the ſuffering Impriſonment, for not taking the Sacramnt in their reſpective Pariſh Churches, who are zealous for the holy Sacrament, & other parts of the Proteſtant Religion, in ſuch aſſemblies as are for higher degrees of Reform ation than is among the common Proteſtants: it is humbly preſented to Doctor *Pinfold*, and all others called Doctors and Judges, in Courts called Spiritual, whether they can produce any ſuch Authority from Jeſus Chriſt, who is the Spiritual Governour in his Church, and hath given Spiritual Laws for the government thereof.

The ſaid *Jones* ſaith, he hath carefully read the Holy Scriptures for many years, and could never find that ever Chriſt did ſet up ſuch a way of Government in his Church, *viz.* of Fines, Impriſonments, Baniſhment, or any other corporal puniſhment, to bring perſons to conform unto his Goſpel Ordinances, but Chriſts way was to aford plain and powerful preaching of his Word, to inlighten the mind, and perſwade the Soul, to make a free choice of his Ttruths, from a cordial love to himſelf: but according to the proceedings of Doctor *Pinfold*, and other Eccleſiaſtical Judges, ſuch as are conſcientiouſly afraid they ſhall miſs the comforts and bleſſed benefits of the Sacrament, by coming to it at ſuch times and places, with ſuch Communicants, as impoſed by the ſaid Doctor, muſt be contented with the diſcomforts of a Jail, or elſe pay great ſums of mony to get off.

And whereas the ſaid Doctor did declare, in the publick Aſſembly of Doctors Commons, that he fixed the taking of the Sacrament, in his admonitions, that thereby the people might give a full demonſtration of being true Proteſtants: it is humbly deſired that the Doctor would conſider, whether too many, who venture upon the Sacrament, are not a great Scandal to the Proteſtant Religion, by wicked converſations, in Swearing, Drinking, Curſing, and calling upon God to damn them: and the ſaid *Jones* doth heartily deſire, that the men of Doctors Commons, were quite free from all theſe ſins, the leaſt of which is enough for damnation, and that is ten thouſand times worſe than Excommunication: however it may be ſoberly and ſafely concluded, that ſuch perſons are very unfit to drive others to the Sacrament, or puniſh them for not running ſo headlong as they would have them unto ſuch an holy Ordinance of God.

And beſides all the former Relation, the ſaid *Jones* ſaith, That upon the ſeventh of *February*, he went again to the Regiſters Office, belonging to the Eccleſiaſtical Court, and there demanded a Copy of his Excommunication, and all other proceedings of the Court, but the chief Regiſter was very angry becauſe thoſe things had been beſpoke ſo long before, and were not fetch'd away, and reflected upon *Jones* as if he had not done honeſtly: unto which *Jones* replyed ſaying, Sir, I ſuppoſe you do not know that I have been more times for theſe papers, than I was bound to come, and could not have them, however if they are done, let me have them, and my money is ready for you: upon this great ſearch was made to find the papers, but the Clerks could not find them, nor the Regiſter neither, but one put it off to another, as being miſlayed. *Jones* ſeeing them in confuſion, thought they might better find them in his abſence, and therefore told them, he would go to ſome houſe hard by and come again, and about an hour after, *Jones* returned to the Office, but they were not found: notwithſtanding all this, *Jones* was ſo fair as to give them till the afternoon, and the under Regiſter did promiſe that the papers ſhould be ſent by their Officer who brought the Citation; ſo the ſaid *Jones* went away in farther Exerciſe of patience, but the papers did not come all that day. *Jones* waited for them all the next day, till near night, and becauſe they were not ſent, he went and made Affidavit before a Judge, That he had been four ſeveral times at the Regiſters, to have a Copy of his Excommunication, and all other proceedings of the Eccleſiaſtical Court, but could not have them, though he offered payment, and to leave part of payment in hand, and about an hour after the ſaid *Jones* had been at home, the ſaid papers were ſent to his houſe, *viz.* about Seven a Clock at night, with a Note from one of the Clerks, to pay thirteen Shillings and four pence for them, which was payed and ſent back by the meſſenger that brought them. Now the honeſt deſign of *Jones* in thus labouring to have ſuch papers, was to ſee whether any thing as matter of Law, might ariſe from them, fit for the conſideration of the honourable Judges, whereby the ſaid *Jones* might have ſome legal releif, but now the Term was very near expiring, and not ſufficient time to conſult with thoſe Learned in the Law, to make

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any Progress, and so the said *Jones* remained in the Exercise of Patience.

But Doctor *Pinfold* went on to finish his Work, and to perform his Word to the said *Jones*, viz. That he should be laid up in a Jail, if he did not come to Church and take the Sacrament according to his Admonition; for in the close of the Term, the said Spiritual Doctor did procure several Writs of *Excommunicato Capiendo*, from the Temporal Power, to apprehend a great Number of the Kings Protestant Subjects, and Substantial Citizens of *London*, and to carry them to Prison for not obeying his Admonitions, and thereby separate Husbands from Wives, Parents from Children, Masters from Servants, besides hindring many Persons from Managing their honest and Lawful Trades and Callings, to the damage of many good Families, the whole of which Punishment the said *Jones* doth hope he shall bear with Patience, as the Providence of God shall suffer it to come upon him, being well satisfied that Loyalty and Christianity will keep him Company, when in a Jail for Non-Conformity.

And now the said *Jones* doth think it may be of some Advantage to his fellow Protestants that they be acquainted with the several ways allowed and practiced by Doctor *Pinfold*, for Obtaining an Absolution, and so be discharged from the Writ *Excommunicato Capiendo*, after it is out against, and served upon them.

I. Such persons may be absolved and discharged from the said Writ if they will pay all the Charges of the Court, which is sometimes Ordinary; and sometimes Extraordinary, the Ordinary Charges is about forty shillings, but according as matters have been managed between the Prosecuted Party and the said Doctor, the Charges by the Doctors Bill may amount to five or Six Pounds, or more. And besides the payment of such Charges, the Party must depositTen Pound, or other such Sum as the Doctor will impose, and subscribe that the said Sum of Money shall be forfeited and disposed of as the said Doctor shall think meet, *viz.* If the Party do not come to Church and take the Sacrament at such times as the Doctor will appoint; at which instant, *viz.* when the money is tendred down, he giveth his Admonition so to do.

II. Another way to be absolved and discharged from the said Writ, is, to pay the aforesaid Bill of Charges, and take an Oath to conform, *viz. You shall swear that you will obey all the Kings Ecclesiastical Laws, and the Lawful Commands of your Ordinary.*

Now such as think to deliver themselves this way, had best in the first place get a true Understanding of the Ecclesiastical Laws, what they are, and what are the Lawful Commands of the Ordinary, least they should swear to such things as may be against their Consciences, and so be under a force either to Sin by keeping the Oath, or else Sin by Breaking the Oath; which if the latter, they must expect to hear of it from Doctor *Pinfold* with both their Ears.

III. Another way of Deliverance is to give Bond to Dr. *Pinfold*, to conform by such a time as shall be agreed with the said Doctor, or else to forfeit the Sum of Money expressed in the said Bond, which formerly was used to be but ten Pound, but now the said Doctor doth Require a Bond of Thirty Pounds, and besides this, the aforesaid Bill of Charges must be presently paid, and at the sealing and delivering of the aforesaid Bond, the said Doctor will Admonish the party to come to Church and receive the Sacrament according to the time of the Bond. The Condition of which Bond take as followeth.

The Condition of this Obligation is such, That whereas the above bounden A.B. *was on the* 27th. *day of* November *last Presented by* C.D. *and* E. F. *Church-Wardens of the said Parish-Church of St.* G. *without* H. *aforesaid before the Arch-Deacon of* London, *or his Official, for not duely Frequenting his Parish-Church for six Month last past, and for not Receiving the Holy Sacrament of the Lords Supper within the said time; and being duely Cited to Answer the said Presentment, and thereupon judicially Admonished to receive the Holy Sacrament of the Lords Supper in his said Parish-Church, and not obeying the said Monition was thereupon pronounced in Contempt and in pain of such his Contempt duely Excommunicated, And whereas the said* A. B. *hath submitted himself to the Jurisdiction of the said Arch Deacons Court, and prayed to be absolved from the said Excommunication, and offered Caution to be obedient to his Majesties Ecclesiastical Laws, and the Lawful Commands of his Ordinary: If therefore the said* A. B. *shall obey His Majesties Ecclesiastical Laws, and the Lawful Commands of his Ordinary, Then this Obligation to be void and of none effect, or else to Remain and be in full Force and Vertue.*

Signed Sealed and Delivered in the Presence of us, &c.

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Now whether this and such like Bonds can be legally sued to recover the Penalty there very Wise and Understanding men are of differing minds about it; however several Per are in the ready Way to know the certain truth hereof, in a short time;

And besides all this, there are other ways for deliverance by the Comon & Statute Law, bef the Kings Judges according as the Case may be Allowable by Law; and some are not with hopes of Relief, this Way, with the Expence of Money.

And as the said *Jones* is not willing to be imposed upon by others, so he will not impo upon others, but will freely and friendly leave all his fellow Protestants to take that w and use that means for their help, as is most agreeable to their Circumstances, and Sati ctory to their own minds, in the keeping of a good Conscience, humbly desiring it may be s riously considered, That it is better to be punished in their Purses, then their Spirits, and be damaged in their Coffers, rather then in their Consciences; and let it also be considered, *Whether these and other Distressing Proceedings be not some cause of stopping the Silver Streams in the Golden Street of this great and Loyal City of* London.

And now at last the said *Jones* is willing to leave a few Refreshing Considerations for the Comfort of his Fellow Distressed Protestants.

I. Consider, That His Majesty hath been Graciously pleased to Relieve his Distressed Dissenting Subjects divers times when they have been violently Prosecuted by several Laws, under which they have Groaned; and hath favoured them with the Exercise of Religion according to their own Conciences, approving of this as the best way to quiet the minds of his Leige People, and promote Trade for the good of the Kingdom, as may be seen at large in His Majesties Declaration, Published by the advice of his Privy-Councel *March* 15. 16[illegible].

II. Consider, That the Lords Spiriritual and Lords Temporal, and the Commons of *England* Assembled in Parliament, provided a Bill to discharge the Kings Protestant Subjects from the Penalties of the 35. of *Elizabeth*, but it unhappily missed of coming to His Majesties Royal Hand for the Royal Assent; which was a bad *Brown*-business: However both Houses of Parliament did their Part.

III. Consider, That the Commons of *England* Assembled in Parliament have shewed a willingness to free His Majesties Subjects, considered as Protestant Dissenters, from all the Penal Statutes in matters of Conscience.

IV. Consider that what hath been done by the King and Parliament, distinct one from another, may be done by the King in Parliament, as a joint Act, which doubtless would be the Joy of the whole Kingdom, and then would be a full and compleat fulfilling and Performance of his Majesties Royal Promise in his Royal Declaration from *Breda*, just before his happy Restauration in these following Words

We do declare a Liberty to Tender Consciences, and that no man shall be disquieted or called in question, for differences of Opinion in matters of Religion, which do not disturb the Peace of the Kingdom, and that we shall be ready to consent to such an Act of Parliament, as upon mature Deliberation shall be offered to Us, for the full granting that Indulgence.

V. Consider all you that fear God, that Word of God in *Isaiah* 2. 22. *Cease ye from man whose breath is in his Nostrils; for wherein is he to be accounted of?* Which sheweth man is not be depended upon.

VI. Consider of, and in all your distresses feed upon, and refresh your Souls with the Word of God, Isa. 12. 5. *For the Oppression of the Poor, and the Sighing of the Needy, now will I arise saith the Lord, and set him in safety from him that puffeth at him.*

FINIS.